

(Counsel listed on Signature Page)

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ENERTRODE, INC.

Plaintiff,

V.

GENERAL CAPACITOR CO. LIMITED.,
JIANPING ZHENG aka JIM ZHENG, GENERAL
CAPACITOR INTERNATIONAL, INC.,
GENERAL CAPACITOR, LLC, AND DOES 1-100.

Defendants.

CASE NO. 4:16-cv-02458 HSG

Consolidated with Case No. 17-cv-179 HSG

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND TIME TO
RESPOND TO DKT. NOS. 69 AND 70**

Pursuant to Local Rule 6-2, the parties in this case, EnerTrode, Inc. (“EnerTrode”) and Linda Zhong (“Zhong”) (together, “the EnerTrode Parties”) and General Capacitor Co. Limited., Jianping Zheng aka Jim Zheng, General Capacitor International, Inc., General Capacitor, LLC (together, “General Capacitor”) submit this stipulation to extend the time for General Capacitor to respond to: (a) the First Amended Answer of EnerTrode, Inc. to the General Capacitor’s Counterclaim (Dkt. No. 69), and (b) First Amended Answer and Counterclaim of Linda Zhong (Dkt. No. 70) (together, the “EnerTrode Parties’ First Amended Answers”).

1 WHEREAS General Capacitor filed its Answer and Counterclaim (against EnerTrode) in
2 this case on January 23, 2017 (Dkt. No. 37), to which EnerTrode answered and counterclaimed on
3 February 20, 2017 (Dkt. No. 47);

4 WHEREAS Zhong filed a Complaint and Counterclaim (against General Capacitor) on
5 February 7, 2017, as Dkt. No. 42 in (now-consolidated) Case No. 17-cv-179 HSG;

6 WHEREAS, through this Court's order at Dkt. No. 52 on March 1, 2017, this case has been
7 consolidated with Case No. 17-cv-179 HSG (the "Consolidated Case");

8 WHEREAS General Capacitor filed their Answer to Zhong's Counterclaim (filed as Dkt.
9 No. 42 in the now-Consolidated Case) on March 17, 2017 (Dkt. No. 58);

10 WHEREAS General Capacitor filed motions to strike the EnerTrode Parties' affirmative
11 defenses set forth at Dkt. Nos. 42 (in the now-Consolidated Case) and Dkt No. 47 (in this case);

12 WHEREAS the EnerTrode Parties filed their First Amended Answers at Dkt. Nos. 69 and
13 70, in response to General Capacitor's operative pleadings;

14 WHEREAS the parties are meeting and conferring to discuss further motions to strike the
15 EnerTrode Parties' First Amended Answers, in an attempt to resolve disputes and hopefully
16 obviate the need for additional motions to strike (Declaration of Perry J. Narancic ISO Stipulation
17 to Extend Time for Defendants to Respond to First Amended Answers of EnerTrode, Inc. and
18 Linda Zhong ("Narancic Decl."), ¶ 4);

19 WHEREAS it is in the interest of judicial efficiency to permit the parties further time to
20 resolve potential renewed Motions to Strike regarding the EnerTrode Parties' First Amended
21 Answers;

22 WHEREAS the extension requested herein will not alter the date of any event or any
23 deadline already fixed by Court order or the schedule in this case (Narancic Decl., ¶ 6);

24 NOW THEREFORE, the parties respectfully request that this Court order that the deadline
25 for General Capacitor to respond to the EnerTrode Parties' First Amended Answers is extended to
26 Friday May 19, 2017

1 IT IS SO STIPULATED.

2 Dated: January 12, 2017

3 /s/ Perry J. Narancic

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19 Attorney for ENERTRODE, INC. and
20 LINDA ZHONG

1 [PROPOSED] ORDER

2 GOOD CAUSE appearing therefore, the deadline for the Genera Capacitor parties to
3 respond to the EnerTrode Parties' First Amended Answers is extended to Friday May 19, 2017.

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5 IT IS SO ORDERED.

6 DATE: 5/16/2017

7 By:

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9 Hon. Haywood S. Gilliam, Jr.
10 United States District Judge

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